

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Witten	Confirmation No.:	2057
Serial No.:	10/645,839	Art Unit:	1654
Filed:	August 22, 2003	Examiner:	Thomas S. Heard
For:	AMELIORATION OF EFFECTS OF CIGARETTE SMOKE	Attorney Docket No.:	12241-022-999

RESPONSE TO OFFICE COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The enclosed is in response to the Office Communication mailed March 24, 2008 in connection with the above identified patent application.

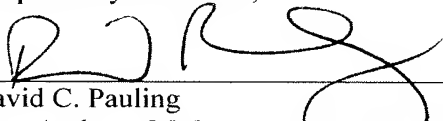
In response to the Communication, Applicants elect the species of peptide that is [Sar⁹, Met (O₂)¹¹]-substance P. Applicants previously elected the route of administration that is inhalation; the amount of substance P that is 5 µM, and the damage to be corrected that is decreased dynamic lung compliance; *e.g.*, a method for increasing dynamic lung compliance. Applicants further previously elected the patent population that is subjects exposed to main stream cigarette smoke.

Applicants believe claims 42, 44- 46, 49, 51-54, 68, 69, 71-73, 76, and 78-81, read on the elected species.

No fee is believed due in connection with this response. However, should the Commissioner determine otherwise, he is hereby authorized to charge any required fee(s) to Jones Day Deposit Account No. 50-3013 (Referencing Order No. 876946-999022).

Respectfully submitted,

Date: April 24, 2008


 _____ 56,056
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